

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Dennis Himmelberger, on February 22, 2007 at 8:00 A.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Dennis Himmelberger, Chairman (R)
Rep. Duane Ankney, Vice Chairman (R)
Rep. Hal Jacobson, Vice Chairman (D)
Rep. Debby Barrett (R)
Rep. Gary Branae (D)
Rep. Sue Dickenson (D)
Rep. Gordon R. Hendrick (R)
Rep. Teresa K. Henry (D)
Rep. Pat Ingraham (R)
Rep. William J. Jones (R)
Rep. Bruce Malcolm (R)
Rep. Walter McNutt (R)
Rep. Alan Olson (R)
Rep. Mike Phillips (D)
Rep. Veronica Small-Eastman (D)
Rep. Franke Wilmer (D)

Members Excused: Rep. Mary Caferro
Rep. Scott Sales

Members Absent: None

Staff Present: Dee Barfknecht, Committee Secretary
Sheri Heffelfinger, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing:	HB 777, HB 785, HB 740, HB 765 HB 767, HJ 42
Executive Action:	HB 294, HB 442, HB 703, HB 706 HB 686, HB 620, HB 785, HB 667 HB 692, HJ 42

HEARING ON HJ 42

Opening Statement by Sponsor:

00:03:10 Rep. Franke Wilmer (D), HD 64, opened the hearing on HJ 42, Resolution for safe kids week.

Proponents' Testimony:

00:05:54 Chris Lepore, Johnson & Johnson

00:09:16 Steve Yeakel, Montana Council for Maternal and Child Health

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:10:32 Rep. Wilmer

HEARING ON HB 785

Opening Statement by Sponsor:

00:11:12 Rep. Michael Lange (R), HD 55, opened the hearing on HB 785, Exempting certain athletes from workers' compensation.

Proponents' Testimony:

00:13:07 Wallace Yovetich, Co-Owner of Billings Outlaws
[EXHIBIT](#)(sth40a01)

Opponents' Testimony: None

Informational Testimony:

00:21:27 Nancy Butler, State Fund

Questions from Committee Members and Responses:

00:22:35 Rep. Henry

00:23:37 Rep. Lange

00:24:10 Rep. Henry

00:24:53 Ms. Butler
00:26:09 Rep. Dickenson
00:26:38 Mr. Yovetich
00:29:47 Rep. Dickenson
00:30:02 Mr. Yovetich
00:30:53 Rep. Phillips
00:31:03 Rep. Lange
00:31:41 Rep. Jacobson
00:32:24 Rep. Lange

Closing by Sponsor:

00:32:39 Rep. Lange

HEARING ON HB 740

Opening Statement by Sponsor:

00:34:20 Rep. Alan Olson (R), HD 45, opened the hearing on HB 740, State purchase of military headstones.

Proponents' Testimony:

00:36:08 Roger Hagen, Officer and Enlisted Associations, Montana National Guard
00:39:11 Sheryl Wood, Associate Director, Montana Association of Counties

EXHIBIT(sth40a02)

Opponents' Testimony: None

Informational Testimony: None

00:40:23 Joe Foster, Administrator Montana Veterans Affairs Division

Questions from Committee Members and Responses:

00:40:36 Rep. Ingraham
00:41:17 Mr. Foster
00:41:21 Rep. Ingraham
00:41:27 Mr. Foster
00:41:49 Rep. Ankney
00:42:11 Mr. Foster
00:42:28 Rep. Ankney
00:42:35 Mr. Foster
00:42:43 Rep. Ankney

00:42:48 Mr. Foster

Closing by Sponsor:

00:43:00__Rep. Olson

HEARING ON HB 767

Opening Statement by Sponsor:

00:45:12 Rep. Dennis Himmelberger (R), HD 47, opened the hearing on HB 767, Proof of citizenship for certain governmental programs or functions.

Proponents' Testimony:

00:48:09 Paul Nachman

[EXHIBIT\(sth40a03\)](#)

Opponents' Testimony:

00:53:41 Cathy Day, Public Policy Director, ACLU Montana

[EXHIBIT\(sth40a04\)](#)

00:56:47 Cynthia Wolken, Attorney, Montana Legal Services Association

[EXHIBIT\(sth40a05\)](#)

00:59:57 Amanda Arnold, Montana Human Rights Council

[EXHIBIT\(sth40a06\)](#)

01:01:49 Jennifer Hill-Hart, Montana Coalition Against Domestic and Sexual Violence

01:02:43 Hank Hudson, Department of Health and Human Services

Informational Testimony: None

Questions from Committee Members and Responses:

01:05:25 Rep. Jones

01:06:18 Mr. Hudson

01:06:28 Rep. Jones

01:07:04 Rep. Phillips

01:07:34 Rep. Himmelberger

01:08:40 Rep. Phillips

01:08:49 Rep. Himmelberger

01:08:53 Rep. Phillips

01:10:00 Rep. Himmelberger

Closing by Sponsor:

01:10:25 Rep. Himmelberger

01:12:42 Break

01:32:10 Reconvene

HEARING ON HB 777

Opening Statement by Sponsor:

01:32:19 Rep. Edward Butcher (R), HD 29, opened the hearing on
HB 777, Revise ballot issue laws.

Proponents' Testimony:

01:53:02 Trevis Butcher

[EXHIBIT\(sth40a07\)](#)

01:58:41 Chris Gallus, Attorney

Opponents' Testimony:

01:59:23 Pam Bucy, Assistant Attorney General, Department Of
Justice

02:06:43 Elizabeth Andrews, Montana Common Cause

02:09:28 Jacquie Boyle, AARP Montana

02:13:25 Terry Minow, Montana Education Association, Montana
Federation of Teachers (MEA/MFT)

02:15:25 Jeff Barber, Montana Environmental Information Center

02:15:42 Janet Ellis, Montana Audubon

Informational Testimony:

02:16:03 Janis Doggett, Chief Legal Council, Secretary of State

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:18:30 Rep. Butcher

HEARING ON HB 765

Opening Statement by Sponsor:

02:23:09 Rep. Alan Olson (R), HD 45, opened the hearing on HB 765, Revise retirement laws.

Proponents' Testimony: None

Opponents' Testimony:

02:25:17 David Senn, Teachers Retirement System

02:28:15 Melanie Symons, Legal Council, Public Employee Retirement Board

Informational Testimony: None

Questions from Committee Members and Responses:

02:30:07 Rep. Ingraham

02:31:04 Kim Flatow, Public Employee Retirement Administration

Closing by Sponsor:

02:31:48 Rep. Olson

EXECUTIVE ACTION ON HB 294

02:33:04 **Motion:** Rep. Dickenson moved that **HB 294 DO PASS.**

02:33:44 **Motion:** Rep. Branae moved that **HB 294 BE AMENDED.**
EXHIBIT(sth40a08)

Discussion:

02:33:58 Sheri Heffelfinger

02:41:30 Rep. Dickenson

02:43:15 Rep. Barrett

02:43:33 Rep. Dickenson

02:44:07 Ms. Heffelfinger

02:45:01 **Vote:** Motion that **HB 294 BE AMENDED** carried unanimously by voice vote, 18-0. Reps. Sales and Caferro voted by proxy.

02:45:21 **Motion:** Rep. Dickenson moved that **HB 294 DO PASS AS AMENDED.**

Discussion:

02:45:39 Rep. Barrett
02:45:57 Rep. Dickenson
02:46:13 Rep. Barrett
02:46:23 Rep. Dickenson
02:47:28 Rep. Ingraham
02:48:06 Mr. Foster
02:48:57 Rep. Wilmer
02:49:41 Rep. Dickenson
02:50:46 Rep. Barrett
02:51:40 Ms. Heffelfinger

02:52:14 **Vote:** Motion that **HB 294 DO PASS AS AMENDED** carried by voice vote, 18-0. Reps. Sales and Caferro voted by proxy.

EXECUTIVE ACTION ON HB 442

02:52:56 **Motion:** Rep. Phillips moved that **HB 442 DO PASS.**

02:53:08 **Motion:** Rep. Phillips moved that **HB 442 BE AMENDED.**
EXHIBIT(sth40a09)

Discussion:

02:53:28 Rep. Phillips

02:55:29 **Vote:** Motion that **HB 442 BE AMENDED** carried unanimously by voice vote, 18-0. Reps. Sales and Caferro voted by proxy.

02:55:53 **Motion/Vote:** Rep. Phillips moved that **HB 442 DO PASS AS AMENDED.** Motion carried unanimously by voice vote, 18-0. Reps. Sales, Barrett and Caferro voted by proxy.

EXECUTIVE ACTION ON HB 703

02:57:50 **Motion/Vote:** Rep. Olson moved that **HB 703 DO PASS.** Motion carried unanimously by voice vote, 18-0. Reps. Sales, Barrett and Caferro voted by proxy.

EXECUTIVE ACTION ON HB 706

02:58:52 **Motion:** Rep. Olson moved that **HB 706 DO PASS.**

Discussion:

02:59:15 Ms. Heffelfinger

EXHIBIT(sth40a10)

02:59:45 Rep. Ingraham

03:00:10 Rep. Olson

03:00:59 Ms. Heffelfinger

03:01:05 Rep. Wilmer

03:02:06 **Vote:** Motion that **HB 706 DO PASS** carried by voice vote, 15-3. Reps. Jones, Hendrick and Olson voted no. Reps. Sales, Barrett and Caferro voted by proxy.

EXECUTIVE ACTION ON HB 686

03:04:11 **Motion:** Rep. Olson moved that **HB 686 DO PASS.**

03:04:18 **Motion:** Rep. Olson moved that **HB 686 BE AMENDED.**

EXHIBIT(sth40a11)

Discussion:

03:05:34 Rep. Olson

03:05:41 **Vote:** Motion that **HB 686 BE AMENDED** carried unanimously by voice vote, 18-0. Reps. Sales, Barrett and Caferro voted by proxy.

03:06:13 **Motion:** Rep. Olson moved that **HB 686 DO PASS AS AMENDED.**

Discussion:

03:06:22 Rep. Olson

03:07:09 Rep. Phillips

03:07:26 Rep. Dickenson

03:08:24 Rep. Ingraham

03:09:24 Rep. Jones

03:09:55 Rep. Olson

03:11:02 Rep. Jacobson

03:12:27 Rep. Wilmer

03:13:16 Rep. Olson

03:13:26 **Vote:** Motion that **HB 686 DO PASS AS AMENDED** carried by roll call vote, 12-6. Reps. Jacobson, Branae, Caferro, Dickenson, Ingraham and Malcolm voted no. Reps. Sales, Barrett and Caferro voted by proxy.

EXECUTIVE ACTION ON HB 620

03:15:35 **Motion:** Rep. Jacobson moved that **HB 620 DO PASS.**

Discussion:

03:15:46 Rep. Henry
03:16:44 Rep. Jacobson
03:18:09 Rep. Branae
03:19:18 Rep. Olson
03:20:22 Rep. Jones
03:21:05 Rep. Dickenson
03:21:23 Rep. Hendrick
03:22:37 Rep. Malcolm

03:22:55 **Vote:** Motion that **HB 620 DO PASS** carried by voice vote, 13-5. Reps. Malcolm, Branae, Small-Eastman, Phillips and Caferro voted no. Reps. Sales, Barrett, Phillips, Wilmer and Caferro voted by proxy.

EXECUTIVE ACTION ON HJ 42

03:24:35 **Motion:** Rep. Jacobson moved that **HJ 42 BE ADOPTED.**

Discussion:

03:24:47 Rep. Ingraham

03:25:35 **Vote:** Motion that **HJ 42 BE ADOPTED** carried unanimously by voice vote, 18-0. Reps. Sales, Barrett, Caferro, Phillips, and Wilmer voted by proxy.

EXECUTIVE ACTION ON HB 785

03:26:25 **Motion/Vote:** Rep. Jacobson moved that **HB 785 DO PASS.** Motion carried by voice vote, 16-2. Reps. Jones and Henry vote no. Reps. Sales, Barrett, Caferro, Wilmer and Phillips voted by proxy.

EXECUTIVE ACTION ON HB 667

03:28:37 **Motion:** Rep. Dickenson moved that **HB 667 DO PASS.**

03:28:51 **Motion:** Rep. Jacobson moved that **HB 667 BE AMENDED.**
EXHIBIT(sth40a12)

Discussion:

03:29:11 Ms. Heffelfinger

03:31:14 **Vote:** Motion that **HB 667 BE AMENDED** carried
unanimously by voice vote, 18-0. Reps. Sales, Wilmer,
Caferro, Barrett and Phillips voted by proxy.

03:31:58 **Motion:** Rep. Jacobson moved that **HB 667 DO PASS AS**
AMENDED.

03:31:29 **Motion:** Rep. Jacobson moved that **HB 667 BE AMENDED.**
EXHIBIT(sth40a13)

Discussion:

03:32:25 Ms. Heffelfinger

03:33:22 Rep. Dickenson

03:34:05 **Vote:** Motion that **HB 667 BE AMENDED, EXHIBIT 13,**
carried unanimously by voice vote, 18-0. Reps. Sales,
Wilmer, Caferro, Phillips and Barrett voted by proxy.

03:34:53 **Motion:** Rep. Jacobson moved that **HB 667 DO PASS AS**
AMENDED.

Discussion:

03:35:46 Rep. Olson

03:35:48 Rep. Ankney

03:36:21 **Vote:** Motion that **HB 667 DO PASS AS AMENDED** carried by
roll call vote, 12-6. Reps. Himmelberger, Barrett,
Malcolm, McNutt, Olson and Sales voted no. Reps.
Sales, Barrett, Caferro, Wilmer and Phillips voted by
proxy.

EXECUTIVE ACTION ON HB 692

03:38:16 **Motion:** Rep. Olson moved that **HB 692 DO PASS.**

03:38:22 **Motion:** Rep. Olson moved that **HB 692 BE AMENDED.**
EXHIBIT(sth40a14)

Discussion:

03:39:42 Rep. Olson
03:39:47 Ms. Heffelfinger
03:39:54 Rep. Olson
03:40:19 Rep. Small-Eastman
03:41:02 Ms. Heffelfinger
03:41:26 Rep. Henry
03:41:51 Ms. Heffelfinger

03:41:57 **Vote:** Motion that **HB 692 BE AMENDED** carried
unanimously by voice vote, 18-0. Reps. Sales, Caferro,
Wilmer, Phillips and Barrett voted by proxy.

03:42:40 **Motion:** Rep. Olson moved that **HB 692 DO PASS AS**
AMENDED.

Discussion:

03:42:57 Rep. Olson
03:43:19 Rep. Dickenson
03:43:58 Rep. Hendrick
03:44:26 Rep. McNutt

03:44:44 **Vote:** Motion that **HB 692 DO PASS AS AMENDED** carried by
voice vote, 18-0. Reps. Sales, Wilmer, Caferro,
Phillips and Barrett voted by proxy.

Additional Discussion:

03:46:19 Chairman Himmelberger
03:46:23 Rep. Olson
03:46:27 Rep. Small-Eastman

ADJOURNMENT

03:46:44 Adjournment

REP. DENNIS HIMMELBERGER, Chairman

DEE BARFKNECHT, Secretary

DH/db

Additional Exhibits:

EXHIBIT ([sth40aad.pdf](#))